
No. 96-3257

United States of America,

Appellee,

v.

Edward J. Woods,

Appellant.

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Appeal from the United States
District Court for the
Northern District of Iowa.

[UNPUBLISHED]

Submitted: February 28, 1997

Filed: March 17, 1997

Before HANSEN, MORRIS SHEPPARD ARNOLD, and MURPHY, Circuit Judges.

PER CURIAM.

Edward J. Woods appeals the 72-month sentence imposed by the district court¹ after he pleaded guilty to two counts of being a felon, and a person previously committed to a mental institution, in possession of firearms, in violation of 18 U.S.C. §§ 922(g), 924(a)(2). Woods challenges the two-level enhancement he received for possessing a destructive device, under U.S. Sentencing Guidelines Manual § 2K2.1(b)(3) (1995).

We do not believe the district court clearly erred in finding Woods possessed the essential components and the intent to make a destructive device. See United States v. Williams, 97 F.3d 240, 243 (8th Cir. 1996) (standard of review). At sentencing, a special agent for the state fire marshal's office testified that Woods had

¹The Honorable Michael J. Melloy, Chief Judge, United States District Court for the Northern District of Iowa.

the necessary materials to manufacture an explosive device, and could easily have done so; and the government introduced evidence that Woods had made bombs in the past, intended to do so in the future, and owned books detailing how to make bombs. See U.S. Sentencing Guidelines Manual § 2K2.1, comment. (n.4) ("destructive device" includes combination of parts designed or intended for use in converting device into destructive device such as explosive or incendiary bomb); cf. United States v. Holden, 61 F.3d 858, 860 (1st Cir. 1995) (per curiam) (unassembled land mine constituted "destructive device" under U.S.S.G. § 2K2.1(b)(3); defendant had all necessary components, and no evidence he could not have readily constructed device). We therefore conclude the district court properly applied the enhancement.

Accordingly, we affirm.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.